

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KATHRYN HYLAND, MELISSA GARCIA,	:	
ELIZABETH TAYLOR, JESSICA SAINT-PAUL,	:	
REBECCA SPITLER-LAWSON, MICHELLE	:	18cv9031 (DLC)
MEANS, ELIZABETH KAPLAN, JENNIFER	:	
GUTH, and MEGAN NOCERINO, and ANTHONY	:	<u>ORDER</u>
CHURCH individually and on behalf of	:	
all others similarly situated,	:	
	:	
Plaintiffs,	:	
-v-	:	
	:	
NAVIENT CORPORATION and NAVIENT	:	
SOLUTIONS, LLC,	:	
	:	
Defendants.	:	
-----X	:	


DENISE COTE, District Judge:

On June 19, 2020 the Court granted preliminary approval to a class settlement in this action. The class was conditionally certified under Rule 23(b)(2), Fed. R. Civ. P. On July 8, the Second Circuit held that a class of past purchasers may not properly be certified under Rule 23(b)(2). Berni v. Barilla S.p.A., No. 19-1921-CV, 2020 WL 3815523, at *7 (2d Cir. July 8, 2020). Accordingly, it is hereby

ORDERED that the parties shall submit, by **July 20, 2020**, letters addressing the impact of Berni on the proper class

definition in this case and on the Court's June 19 Preliminary Approval Order.

Dated: New York, New York
July 14, 2020



DENISE COTE
United States District Judge